

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 5:04-00041

MICHAEL GREER

**REVOCATION OF SUPERVISED RELEASE
AND JUDGMENT ORDER**

On August 22, 2011, the defendant appeared in person and by counsel, Timothy Lupardus for a hearing on the Petition for Warrant or Summons for Offender Under Supervision submitted by the defendant's supervising probation officer. The United States was represented at the hearing by Miller Bushong, Assistant United States Attorney. United States Probation Officer Amy Richmond was also present at the hearing.

At the hearing, the Court found that the defendant was given written notice of the alleged supervised release violations, all evidence against the defendant was disclosed, and the defendant was represented by counsel.

Based upon the information contained in the Petition and the defendant's own admission, the Court found by a preponderance of the evidence that the defendant violated the conditions of supervised release as contained in the Petition. The Court **REVOKED** the defendant's supervised release and entered judgment as follows:

It is the **JUDGMENT** of the Court that the defendant be committed to the custody of the Federal Bureau of Prisons for a term of **24** months. The Court recommends that the defendant be housed as close to Morgantown, WV, as possible.

Upon release from prison, the defendant shall be placed on supervised release for a term of **18** months. Within 72 hours of release from custody, the defendant shall report in person to the United States Probation Office in the district to which the defendant is released. While on supervised release, the defendant must not commit another federal, state, or local crime, must not possess a firearm or other dangerous device, and must not unlawfully possess a controlled substance. The defendant must also comply with the standard terms and conditions of supervised release as recommended by the United States Sentencing Commission and as adopted by the United States District Court for the Southern District of West Virginia, including the special condition that the defendant shall participate in a program of testing, counseling, and treatment for drug and alcohol abuse as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. As an additional special condition of his supervised release, the Court **ORDERS** the defendant to pay the balance of his special assessment and fine.

The defendant was released on his previously executed bond, with the additional condition that he must comply with any outstanding state court orders. The defendant shall surrender for service at the institution designated by the Bureau of Prisons as notified by the United States Marshal.

The Court **DIRECTS** the Clerk to send a copy of this Order to the defendant and counsel, the United States Attorney, the United States Probation Office, the United States Marshal and the Federal Bureau of Prisons.

ENTER: August 23, 2011

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE